

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**DIANE AMRHEIN and
GERALD AMRHEIN,
Plaintiffs,**

v.

Case No. 07-C-154

**UNICARE LIFE AND
HEALTH INSURANCE COMPANY,
Defendant.**

ORDER

Plaintiffs filed this case on February 16, 2007. Pursuant to Fed. R. Civ. P. 4(m) and Civil L.R. 41.1 plaintiffs had 120 days from filing within which to effect service of the complaint upon the defendant. That time period expired on June 16, 2007, yet no proof of service was submitted to the court. In an order of July 29, 2007 I allowed plaintiffs an extension of the period for service and warned them that I would dismiss the case if proof of service upon defendant was not filed by August 20, 2007.

To date, no proof of service has been filed. Federal Rule of Civil Procedure 4(m) and Civil L.R. 41.1 thus allow me to dismiss the case.

THEREFORE IT IS ORDERED that this case is **DISMISSED WITHOUT PREJUDICE** for failure of service.

Dated at Milwaukee, Wisconsin, this 19 day of September, 2007.

/s _____
LYNN ADELMAN
District Judge